

***DRAFT***

tighten a second region of the boot, the lace of the second lacing zone having a portion that is disposed in the upper region;

wherein the lace of the first lacing zone is securable in the upper region to tighten the first lacing zone, and wherein the lace of the second lacing zone is separately securable in the upper region to tighten the second lacing zone.

~~wherein the lace of both the first and the second lacing zones is securable in the upper region to tighten each of the first and second lacing zones.~~

183. (Previously Presented) The boot of claim 182, wherein each zone is tightened with a separate lace.

184. (Previously Presented) The boot of claim 182, wherein the first lacing zone comprises a lower lacing zone and the lace of the first lacing zone is adapted to tighten the lower region and wherein the second lacing zone comprises an upper lacing zone and the lace of the second lacing zone is adapted to tighten the upper region.

185. (Previously Presented) The boot of claim 182, further comprising at least one lace lock mounted to the boot body at the upper region thereof, the at least one lace lock being adapted to secure the lacing zones.

186. (Previously Presented) The boot of claim 185, wherein the at least one lace lock comprises a first lace lock adapted to secure the lace of the first lacing zone and a second lace lock adapted to secure the lace of the second lacing zone.

187. (Previously Presented) The boot of claim 182, wherein the lace of the first lacing zone and the lace of the second lacing zone may be tightened independently to achieve different levels of tightness in the first and the second lacing zones.

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188. (Previously Presented) The boot of claim 182, further comprising a handle coupled to the lace of the first lacing zone lace, the handle being graspable by the wearer to tighten the lace.

189. (Previously Presented) The boot of claim 188, further comprising a second handle coupled to the lace of the second lacing zone, the second handle being graspable by the wearer to tighten the lace.

190. (Previously Presented) The boot of claim 189, wherein the boot body and the first and second handles cooperate to stow the first and second handles on the boot body.

191. (Previously Presented) The boot of claim 190, wherein the boot body comprises at least one pocket adapted to receive at least one of the first and second handles.

192. (Previously Presented) The boot of claim 184, wherein the lace of the lower lacing zone comprises a first anchor end attached to the boot body adjacent a toe-area and wherein the lace of the upper lacing zone comprises a second anchor end attached to the boot body adjacent a shin-area.

193. (Previously Presented) The boot of claim 182, further comprising an indicator to indicate to the wearer a particular lacing zone.

194. (Previously Presented) The boot of claim 182, wherein the boot body includes a rear side, wherein both the lace of the first lacing zone and the lace of the second lacing zone are securable in the upper region at a location forward of the rear side.

195. (Previously Presented) The boot of claim 182, wherein the boot is a snowboard boot.

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196. (Previously Presented) The boot of claim 182, wherein both the lace of the first lacing zone and the lace of the second lacing zone are sequentially or simultaneously securable at the upper region.

197. (Previously Presented) The boot of claim 193, wherein the indicator comprises a first indicator comprising the word "LOWER" to indicate the first lacing zone.

198. (Previously Presented) The boot of claim 193, wherein the indicator comprises a second indicator comprising the word "UPPER" to indicate the second lacing zone.

199. (Previously Presented) The boot of claim 182, wherein the lace of both the first and the second lacing zones has a portion that extends to an upper part of the upper region.

## Ferraro, Neil

---

**From:** Ferraro, Neil  
**Sent:** Tuesday, January 09, 2007 3:12 PM  
**To:** 'marie.patterson@uspto.gov'  
**Subject:** Emailing: Claim Amendments for 10 732834.doc

**Attachments:** Claim Amendments for 10 732834.doc



Claim  
Amendments for 10 73:

Examiner Patterson,

Here are the amendments we discussed.

Regards,

Neil P. Ferraro  
nferraro@wolfgreenfield.com  
direct dial 617.646.8267

Wolf Greenfield  
Specialists in Intellectual Property Law Wolf, Greenfield & Sacks, P.C.  
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Boston, Massachusetts 02210-2206  
617.646.8000 | 617.646.8646 fax  
For more information about Wolf Greenfield, please visit us at  
<http://www.wolfgreenfield.com>

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Greg Reagan, et al.  
Serial No.: 10/732,834  
Confirmation No.: 6764  
Filed: December 10, 2003  
For: LACE SYSTEM FOR FOOTWEAR  
Examiner: Marie D. Patterson  
Art Unit: 3728

1. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed in the upper region; and

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed in the upper region;

wherein both the first lace and the second lace are securable in the upper region.

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27. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer, an upper region adapted to cover at least a portion of a shin of the wearer, and a rear side that faces backward when the boot is worn by the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed in the upper region; and

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed in the upper region;

wherein both the first lace and the second lace are securable at a location forward of the rear side.

137. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed at the upper region;

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a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed at the upper region;

wherein both the first lace and the second lace are securable at the upper region; and  
an indicator to indicate to the wearer that a lace corresponds to a particular lacing zone.

160. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer, an upper region adapted to cover at least a portion of a shin of the wearer, and a rear side that faces backward when the boot is worn by the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed at the upper region;

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed at the upper region;

wherein both the first lace and the second lace are securable at a location forward of the rear side; and

an indicator to indicate to the wearer that a lace corresponds to a particular lacing zone.

182. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening

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disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the lace of the first lacing zone having a portion that is disposed in the upper region; and

a second lacing zone comprising a lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the lace of the second lacing zone having a portion that is disposed in the upper region;

wherein the lace of the first lacing zone is securable in the upper region to tighten the first lacing zone, and wherein the lace of the second lacing zone is separately securable in the upper region to tighten the second lacing zone.

~~wherein the lace of both the first and the second lacing zones is securable in the upper region to tighten each of the first and second lacing zones.~~



Search results as of: 02-15-2007::09:29:43 E.T.

**Transaction History**



<b>Date</b>	<b>Transaction Description</b>
01-30-2007	Mail Notice of Allowance
01-30-2007	Mail Examiner Interview Summary (PTOL - 413)
01-30-2007	Mail Examiner's Amendment
01-22-2007	Examiner's Amendment Communication
01-09-2007	Examiner Interview Summary Record (PTOL - 413)
12-07-2006	Notice of Allowance Data Verification Completed
11-28-2006	Mail Examiner Interview Summary (PTOL - 413)
11-28-2006	Date Forwarded to Examiner
11-16-2006	Response after Non-Final Action
11-14-2006	Examiner Interview Summary Record (PTOL - 413)
10-05-2006	Case Docketed to Examiner in GAU
10-05-2006	Mail Non-Final Rejection
10-05-2006	Case Docketed to Examiner in GAU
10-02-2006	Non-Final Rejection
07-21-2006	Date Forwarded to Examiner
07-21-2006	Date Forwarded to Examiner
07-06-2006	Request for Continued Examination (RCE)
07-21-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
07-06-2006	Workflow - Request for RCE - Begin
06-22-2006	Mail Examiner Interview Summary (PTOL - 413)
06-15-2006	Examiner Interview Summary Record (PTOL - 413)
06-01-2006	Mail Final Rejection (PTOL - 326)
05-30-2006	Final Rejection
03-06-2006	Information Disclosure Statement considered
02-23-2006	Information Disclosure Statement considered
08-29-2005	Information Disclosure Statement considered
08-29-2005	Reference capture on IDS
08-29-2005	Information Disclosure Statement (IDS) Filed
05-20-2005	Reference capture on IDS
03-16-2006	Date Forwarded to Examiner
03-06-2006	Response after Non-Final Action
03-06-2006	Information Disclosure Statement (IDS) Filed
02-23-2006	Information Disclosure Statement (IDS) Filed
02-27-2006	Mail Examiner Interview Summary (PTOL - 413)
02-23-2006	Examiner Interview Summary Record (PTOL - 413)
02-07-2006	Mail Non-Final Rejection
02-06-2006	Non-Final Rejection
05-20-2005	Information Disclosure Statement considered
08-09-2004	Information Disclosure Statement considered
12-01-2005	Date Forwarded to Examiner
11-25-2005	Supplemental Response
11-22-2005	Date Forwarded to Examiner

11-16-2005	Response to Election / Restriction Filed
10-11-2005	Mail Restriction Requirement
10-07-2005	Requirement for Restriction / Election
05-20-2005	Information Disclosure Statement (IDS) Filed
02-01-2005	IFW TSS Processing by Tech Center Complete
02-01-2005	Case Docketed to Examiner in GAU
08-09-2004	Reference capture on IDS
08-09-2004	Information Disclosure Statement (IDS) Filed
05-25-2004	Application Return from OIPE
05-25-2004	Application Return TO OIPE
05-25-2004	Application Dispatched from OIPE
05-25-2004	Application Is Now Complete
05-14-2004	Payment of additional filing fee/Preexam
05-14-2004	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
05-14-2004	Applicant has submitted new drawings to correct Corrected Papers problems
03-18-2004	Notice Mailed--Application Incomplete--Filing Date Assigned
02-13-2004	Cleared by OIPE CSR
01-07-2004	IFW Scan & PACR Auto Security Review
12-10-2003	Initial Exam Team nn

[\*\*Close Window\*\*](#)

Search results as of: 02-15-2007::09:29:56 E.T.

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date 	Document Description 	Page Count
01-30-2007	Notice of Allowance and Fees Due (PTOL-85)	3
11-28-2006	Examiner Interview Summary Record (PTOL - 413)	3
11-16-2006	Fee Worksheet (PTO-06)	1
11-16-2006	Amendment - After Non-Final Rejection	3
11-16-2006	Applicant Arguments/Remarks Made in an Amendment	3
10-05-2006	Non-Final Rejection	10
10-05-2006	Search information including classification, databases and other search related notes	1
07-06-2006	Fee Worksheet (PTO-06)	1
07-06-2006	Amendment Submitted/Entered with Filing of CPA/RCE	1
07-06-2006	Claims	18
07-06-2006	Applicant Arguments/Remarks Made in an Amendment	4
07-06-2006	Request for Continued Examination (RCE)	2
06-22-2006	Examiner Interview Summary Record (PTOL - 413)	3
06-01-2006	Final Rejection	11
06-01-2006	List of References cited by applicant and considered by examiner	2
06-01-2006	Search information including classification, databases and other search related notes	1
03-06-2006	Fee Worksheet (PTO-06)	1
03-06-2006	Amendment - After Non-Final Rejection	1
03-06-2006	Claims	16
03-06-2006	Applicant Arguments/Remarks Made in an Amendment	3
03-06-2006	Transmittal to TC	2
03-06-2006	Information Disclosure Statement (IDS) Filed	4
03-06-2006	Foreign Reference	16
03-06-2006	Foreign Reference	9
03-06-2006	Foreign Reference	33
03-06-2006	NPL Documents	5

03-06-2006	NPL Documents	11
02-27-2006	Examiner Interview Summary Record (PTOL - 413)	3
02-23-2006	Information Disclosure Statement (IDS) Filed	6
02-23-2006	Foreign Reference	20
02-23-2006	Foreign Reference	20
02-23-2006	Foreign Reference	17
02-23-2006	Foreign Reference	3
02-23-2006	Foreign Reference	6
02-23-2006	Foreign Reference	16
02-07-2006	Non-Final Rejection	9
02-07-2006	List of References cited by applicant and considered by examiner	11
02-07-2006	List of references cited by examiner	1
02-07-2006	Foreign Reference	6
02-07-2006	Index of Claims	1
02-07-2006	Search information including classification, databases and other search related notes	1
11-25-2005	Fee Worksheet (PTO-06)	1
11-25-2005	Response to Election / Restriction Filed	3
11-25-2005	Claims	10
11-25-2005	Applicant Arguments/Remarks Made in an Amendment	1
11-16-2005	Response to Election / Restriction Filed	2
11-16-2005	Applicant Arguments/Remarks Made in an Amendment	3
10-11-2005	Requirement for Restriction/Election	5
08-29-2005	Information Disclosure Statement (IDS) Filed	5
08-29-2005	Foreign Reference	15
08-29-2005	Foreign Reference	6
08-29-2005	NPL Documents	5
05-20-2005	Information Disclosure Statement (IDS) Filed	5
05-20-2005	Foreign Reference	16
05-20-2005	Foreign Reference	15
05-20-2005	NPL Documents	6
08-09-2004	Foreign Reference	12
08-09-2004	Foreign Reference	13
08-09-2004	Foreign Reference	10

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08-09-2004	Foreign Reference	34
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08-09-2004	Foreign Reference	12
08-09-2004	Foreign Reference	6
08-09-2004	Foreign Reference	16
08-09-2004	Foreign Reference	6
08-09-2004	Foreign Reference	8
08-09-2004	Information Disclosure Statement (IDS) Filed	13
08-09-2004	Foreign Reference	15
08-09-2004	Foreign Reference	22
08-09-2004	Foreign Reference	50

08-09-2004	Foreign Reference	5
08-09-2004	Foreign Reference	1
08-09-2004	Foreign Reference	14
08-09-2004	Foreign Reference	3
08-09-2004	Foreign Reference	6
08-09-2004	Foreign Reference	3
08-09-2004	Foreign Reference	4
08-09-2004	Foreign Reference	5
08-09-2004	Foreign Reference	13
05-14-2004	Oath or Declaration filed	3
05-14-2004	Drawings	7
03-18-2004	Pre-Exam Formalities Notice	2
12-10-2003	Fee Worksheet (PTO-06)	1
12-10-2003	Claims Worksheet (PTO-2022)	2
12-10-2003	Transmittal of New Application	2
12-10-2003	Specification	16
12-10-2003	Claims	20
12-10-2003	Abstract	1
12-10-2003	Drawings	6
12-10-2003	Application Data Sheet	2

**Close Window**

## Ferraro, Neil

---

**From:** Ferraro, Neil  
**Sent:** Wednesday, January 10, 2007 8:52 AM  
**To:** 'Patterson, Marie'  
**Subject:** RE: Emailing: Claim Amendments for 10 732834.doc

Received, thank you.

Neil Ferraro

-----Original Message-----

From: Patterson, Marie [mailto:Marie.Patterson@USPTO.GOV]  
Sent: Wednesday, January 10, 2007 8:25 AM  
To: Ferraro, Neil  
Subject: RE: Emailing: Claim Amendments for 10 732834.doc

I have sent you copies of the Examiner's amendment and NOA. IF you did not receive them, please let me know. Thank you, Marie Patterson

-----Original Message-----

From: Ferraro, Neil [mailto:Neil.Ferraro@WolfGreenfield.com]  
Sent: Tuesday, January 09, 2007 3:12 PM  
To: Patterson, Marie  
Subject: Emailing: Claim Amendments for 10 732834.doc

<<Claim Amendments for 10 732834.doc>> Examiner Patterson,

Here are the amendments we discussed.

Regards,

Neil P. Ferraro  
nferraro@wolfgreenfield.com  
direct dial 617.646.8267

Wolf Greenfield  
Specialists in Intellectual Property Law Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
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For more information about Wolf Greenfield, please visit us at  
<http://www.wolfgreenfield.com>

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**From:** Patterson, Marie [mailto:Marie.Patterson@USPTO.GOV]

**Sent:** Wednesday, January 10, 2007 8:24 AM

**To:** Ferraro, Neil

**Subject:** PTO-37 Notice of Allowability

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/732,834	REAGAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Marie Patterson	3728	

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to request for reconsideration and remarks filed 11/16/06.

2. The allowed claim(s) is/are 1-50, 52, and 127-199.

3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some\* c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) hereto or 2) to Paper No./Mail Date \_\_\_\_.

(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of

Paper No./Mail Date \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. Notice of References Cited (PTO-892)

2. Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_

4. Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. Notice of Informal Patent Application

6. Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.

7. Examiner's Amendment/Comment

8. Examiner's Statement of Reasons for Allowance

9. Other \_\_\_\_.

Marie Patterson  
Primary Examiner  
Art Unit: 3728



**From:** Patterson, Marie [mailto:Marie.Patterson@USPTO.GOV]  
**Sent:** Wednesday, January 10, 2007 8:23 AM  
**To:** Ferraro, Neil  
**Subject:** PTO-413 Interview Summary

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/732,834	REAGAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Marie Patterson	3728	

All participants (applicant, applicant's representative, PTO personnel):

(1) Marie Patterson. (3) \_\_\_\_.

(2) Neil Ferraro. (4) \_\_\_\_.

Date of Interview: 09 January 2007.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_.

Claim(s) discussed: Proposed amendment.

Identification of prior art discussed: all of record.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Agreement was made for the attached amendment to overcome the newly cited prior art and the previously cited prior art.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an  
Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



**Ferraro, Neil**

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**From:** Patterson, Marie [Marie.Patterson@USPTO.GOV]  
**Sent:** Wednesday, January 10, 2007 8:23 AM  
**To:** Ferraro, Neil  
**Cc:** Ferraro, Neil  
**Subject:** 20061129. Allowance  
**Attachments:** header.htm

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Neil Ferraro on 1/9/07.

The application has been amended as follows:

1. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed in the upper region; and

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed in the upper region;

wherein both the first lace and the second lace are securable in the upper region.

27. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer, an upper region adapted to cover at least a portion of a shin of the wearer, and a rear side that faces backward when the boot is worn by the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having

medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed in the upper region; and

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed in the upper region;

wherein both the first lace and the second lace are securable at a location forward of the rear side.

137. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed at the upper region;

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed at the upper region;

wherein both the first lace and the second lace are securable at the upper region; and an indicator to indicate to the wearer that a lace corresponds to a particular lacing zone.

160. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer, an upper region adapted to cover at least a portion of a shin of the wearer, and a rear side that faces backward when the boot is worn by the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a first lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the first lace having a portion that is disposed at the upper region;

a second lacing zone comprising a second lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the second lace having a portion that is disposed at the upper region;

wherein both the first lace and the second lace are securable at a location forward of the rear side; and

an indicator to indicate to the wearer that a lace corresponds to a particular lacing zone.

182. (Currently Amended) A boot comprising:

a boot body having a lower region adapted to cover a foot of a wearer and an upper region adapted to cover at least a portion of a shin of the wearer, the boot body having a tongue opening disposed in a shin-toe direction and a tongue disposed within the tongue opening, the boot body having medial and lateral sides, with the tongue opening locatable between the medial and lateral sides;

a first lacing zone comprising a lace adapted to draw the medial and lateral sides toward each other to tighten a first region of the boot, the lace of the first lacing zone having a portion that is disposed in the upper region; and

a second lacing zone comprising a lace adapted to draw the medial and lateral sides toward each other to tighten a second region of the boot, the lace of the second lacing zone having a portion that is disposed in the upper region;

wherein the lace of the first lacing zone is securable in the upper region to tighten the first lacing zone, and wherein the lace of the second lacing zone is separately securable in the upper region to tighten the second lacing zone.

~~wherein the lace of both the first and the second lacing zones is securable in the upper region to tighten each of the first and second lacing zones.~~

1. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Other useful information can be obtained at the PTO Home Page at [www.uspto.gov](http://www.uspto.gov).

In order to avoid potential delays, Technology Center 3700 is encouraging FAXing of responses to Office Actions directly into the Center at **(572)273-8300 (FORMAL FAXES ONLY)**. Please identify Examiner Marie Patterson of Art Unit 3728 at the top of your cover sheet.

Any inquiry concerning the MERITS of this examination from the examiner should be directed to Marie Patterson whose telephone number is (571) 272-4559. The examiner can normally be reached from 6AM - 4PM Mon-Wed.

Marie Patterson  
Primary Examiner  
Art Unit 3728



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Art Unit: 3728

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